

United States District Court  
NORTHERN DISTRICT OF CALIFORNIA

FRANK A. GRUCEL, JR., Derivatively on Behalf of EXTREME  
NETWORKS, INC.,

Plaintiff,

vs.

GORDON L. STITT, W. MICHAEL WEST, WILLIAM R. SLAKEY,  
MICHAEL J. PALU, ALEXANDER J. GRAY, HERB SCHNEIDER,  
FRANK C. CARLUCCI, STEPHEN HADDOCK, ALICIA JAYNE MOORE,  
HARRY SILVERGLIDE, ROBERT L. COREY, KENNETH LEVY,  
CHARLES P. CARINALLI and PETER WOLKEN,

Defendants,

- and -

EXTREME NETWORKS, INC., a Delaware corporation,  
Nominal Defendant.

TO: (Name and address of defendant)

SEE ATTACHMENT B

E-filing

SUMMONS IN A CIVIL CASE

CASE NUMBER:

PVT

C 07 2848

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Shawn A. Williams  
LERACH COUGHLIN STOIA GELLER  
RUDMAN & ROBBINS LLP  
100 Pine Street, Suite 2600  
San Francisco, CA 94111  
Telephone: 415/288-4545

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

MAY 31 2007

Richard W. Wieking

CLERK

Helen L. Almacein

DATE \_\_\_\_\_

\_\_\_\_\_  
(BY) DEPUTY CLERK

ATTACHMENT B

**Extreme Networks, Inc.**  
Registered Agent:  
CT Corporation System  
818 West Seventh  
Los Angeles, CA 90017

**Gordon L. Stitt**  
25703 Lomita Linda Court  
Los Altos, CA 94024

**William Michael West**  
14801 Andrew Court  
Saratoga, CA 95070

**William R. Slakey**  
120 Moore Creek Road  
Santa Cruz, CA 95060

**Michael J. Palu**  
318 El Paseo  
Millbrae, CA 94030

**Alexander J. Gray**  
23150 Mora Glen Drive  
Los Altos, CA 94024

**Herb Schneider**  
24052 Oak Knoll Drive  
Los Altos Hills, CA 94022

**Frank C. Carlucci**  
6509 Dordre Terrace  
McLean, VA 22101

**Stephen Haddock**  
11655 Skyline Boulevard  
Cupertino, CA 95014

**Alicia Jayne Moore**  
13957 Albar Court  
Saratoga, CA 95070

**Harry Silverglide**  
15699 Captiva Drive  
Captiva, FL 33924

**Robert L. Corey**  
3726 Smallwood Court  
Pleasanton, CA 94566

**Kenneth Levy**  
19800 Glen Una Drive  
Saratoga, CA 95070

**Charles P. Carinalli**  
1466 Teal Drive  
Sunnyvale, CA 94086

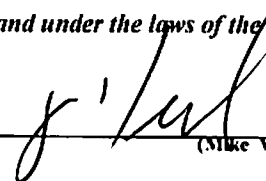
**Peter Wolken**  
27345 Deer Springs Way  
Los Altos, CA 94022

Attorney or Party without Attorney: Shawn A. Williams, Esq. Lerach Coughlin Stoia Geller Rudman & Robbins LLP 100 Pine Street, Suite 2600 San Francisco, CA 94111 Telephone No: 415-288-4545				For Court Use Only	
Attorney for: Plaintiff					
Insert name of Court, and Judicial District and Branch Court: United States District Court - Northern District Of California					
Plaintiff: Frank A. Grucel, Jr., Derivately on Behalf of Extreme Networks, Inc. Defendant: Gordon L. Stitt, et al.					
<b>PROOF OF SERVICE Summons &amp; Complaint</b>		Hearing Date:	Time:	Dept/Div:	Case Number: C072848

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the Summons in a Civil Case; Verified Shareholder Derivative Complaint; Order Setting Initial Case Management Conference and ADR Deadlines; ECF Registration Information Handout; Notice of Assignment of Case to a United States Magistrate Judge; USDC Guidelines
3. a. Party served: Extreme Networks, Inc.  
 b. Person served: Diane Honda, Assistant General Counsel/Authorized to Accept
4. Address where the party was served: c/o Extreme Networks, Inc.  
 3585 Monroe Street  
 Santa Clara, CA 95051
5. I served the party:
  - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Tue., Jun. 19, 2007 (2) at: 12:10PM
7. Person Who Served Papers:
  - a. Mike Weeker
  - b. Class Action Research & Litigation Support Services, Inc.  
 P O Box 740  
 Penryn, CA 95663  
 c. (866) 663-9590, FAX (866) 663-4955
  - d. The Fee for Service was: Recoverable Cost Per CCP 1033.5(a)(4)(B)
  - e. I am: (3) registered California process server
    - (i) Independent Contractor
    - (ii) Registration No.: 617
    - (iii) County: Santa Clara

8. I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.

Date: Wed, Jun. 20, 2007

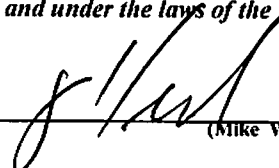
  
 (Mike Weeker)

Attorney or Party without Attorney: Shawn A. Williams, Esq. Lerach Coughlin Stoia Geller Rudman & Robbins LLP 100 Pine Street, Suite 2600 San Francisco, CA 94111 Telephone No: 415-288-4545				For Court Use Only:	
Attorney for: Plaintiff				Ref. No. or File No.:	
Insert name of Court, and Judicial District and Branch Court: United States District Court - Northern District Of California					
Plaintiff: Frank A. Grucel, Jr., Derivately on Behalf of Extreme Networks, Inc. Defendant: Gordon L. Stitt, et al.					
<b>PROOF OF SERVICE Summons &amp; Complaint</b>		Hearing Date:	Time:	Dept/Div:	Case Number: C072848

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2. I served copies of the Summons in a Civil Case; Verified Shareholder Derivative Complaint; Order Setting Initial Case Management Conference and ADR Deadlines; ECF Registration Information Handout; Notice of Assignment of Case to a United States Magistrate Judge; USDC Guidelines
3.
  - a. Party served: Michael J. Palu
  - b. Person served: Diane Honda, Assistant General Counsel/Authorized to Accept
4. Address where the party was served: c/o Extreme Networks, Inc.  
3585 Monroe Street  
Santa Clara, CA 95051
5. I served the party:
  - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Tue., Jun. 19, 2007 (2) at: 12:10PM
7. Person Who Served Papers:
  - a. Mike Wecker
  - b. Class Action Research & Litigation Support Services, Inc.  
P O Box 740  
Penryn, CA 95663  
c. (866) 663-9590, FAX (866) 663-4955
  - d. The Fee for Service was: Recoverable Cost Per CCP 1033.5(a)(4)(B)
  - e. I am: (3) registered California process server
    - (i) Independent Contractor
    - (ii) Registration No.: 617
    - (iii) County: Santa Clara

8. I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.

Date: Wed, Jun. 20, 2007

  
(Mike Wecker)

Attorney or Party without Attorney: Shawn A. Williams, Esq. Lerach Coughlin Stoia Geller Rudman & Robbins LLP 100 Pine Street, Suite 2600 San Francisco, CA 94111 Telephone No: 415-288-4545				For Court Use Only	
Attorney for: Plaintiff					
Insert name of Court, and Judicial District and Branch Court: United States District Court - Northern District Of California					
Plaintiff: Frank A. Grucel, Jr., Derivately on Behalf of Extreme Networks, Inc. Defendant: Gordon L. Stitt, et al.					
<b>PROOF OF SERVICE Summons &amp; Complaint</b>		Hearing Date:	Time:	Dept/Div:	Case Number: C072848

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3. a. Party served: Alexander J. Gray  
 b. Person served: Alexander J. Gray, Personally
4. Address where the party was served: c/o Extreme Networks, Inc.  
 3585 Monroe Street  
 Santa Clara, CA 95051
5. I served the party:
  - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Wed., Jun. 13, 2007 (2) at: 3:45PM
7. Person Who Served Papers:
  - a. Mike Wecker
  - b. Class Action Research & Litigation Support Services, Inc.  
 P O Box 740  
 Penryn, CA 95663  
 c. (866) 663-9590, FAX (866) 663-4955
  - d. The Fee for Service was: Recoverable Cost Per CCP 1033.5(a)(4)(B)
  - e. I am: (3) registered California process server
    - (i) Independent Contractor
    - (ii) Registration No.: 617
    - (iii) County: Santa Clara

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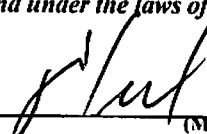
Date: Tue, Jun. 19, 2007

Attorney or Party without Attorney: Shawn A. Williams, Esq. Lerach Coughlin Stoia Geller Rudman & Robbins LLP 100 Pine Street, Suite 2600 San Francisco, CA 94111 Telephone No: 415-288-4545				For Court Use Only	
Ref. No. or File No.:					
Attorney for: Plaintiff					
Insert name of Court, and Judicial District and Branch Court: United States District Court - Northern District Of California					
Plaintiff: Frank A. Grucel, Jr., Derivately on Behalf of Extreme Networks, Inc.					
Defendant: Gordon L. Stitt, et al.					
<b>PROOF OF SERVICE Summons &amp; Complaint</b>		Hearing Date:	Time:	Dept/Div:	Case Number: C072848

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3. a. Party served: Herb Schneider  
 b. Person served: Diane Honda, Assistant General Counsel/Authorized to Accept
4. Address where the party was served: c/o Extreme Networks, Inc.  
 3585 Monroe Street  
 Santa Clara, CA 95051
5. I served the party:
  - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Tue., Jun. 19, 2007 (2) at: 12:10PM
7. Person Who Served Papers:
  - a. Mike Wecker
  - b. Class Action Research & Litigation Support Services, Inc.  
 P O Box 740  
 Penryn, CA 95663  
 c. (866) 663-9590, FAX (866) 663-4955
  - d. The Fee for Service was: Recoverable Cost Per CCP 1033.5(a)(4)(B)
  - e. I am: (3) registered California process server
    - (i) Independent Contractor
    - (ii) Registration No.: 617
    - (iii) County: Santa Clara

8. I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.

Date: Wed, Jun. 20, 2007

  
(Mike Wecker)

<b>Attorney or Party without Attorney:</b> Shawn A. Williams, Esq. Lerach Coughlin Stoia Geller Rudman & Robbins LLP 100 Pine Street, Suite 2600 San Francisco, CA 94111 Telephone No: 415-288-4545				<b>For Court Use Only</b>	
<b>Attorney for:</b> Plaintiff					
<b>Insert name of Court, and Judicial District and Branch Court:</b> United States District Court - Northern District Of California					
<b>Plaintiff:</b> Frank A. Grucel, Jr., Derivately on Behalf of Extreme Networks, Inc. <b>Defendant:</b> Gordon L. Stitt, et al.					
<b>PROOF OF SERVICE Summons &amp; Complaint</b>		<b>Hearing Date:</b>	<b>Time:</b>	<b>Dept/Div:</b>	<b>Case Number:</b> C072848

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3. a. Party served: Frank C. Carlucci  
 b. Person served: Frank C. Carlucci, Personally
4. Address where the party was served: 6509 Deidre Terrace  
 McLean, VA 22101
5. I served the party:
  - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Sat., Jun. 23, 2007 (2) at: 7:23PM
7. Person Who Served Papers:
  - a. Cynthia Sable
  - b. Class Action Research & Litigation Support Services, Inc.  
 P O Box 740  
 Penryn, CA 95663
  - c. (866) 663-9590, FAX (866) 663-4955
  - d. **The Fee for Service was:**
  - e. I am: Not a Registered California Process Server

Recoverable Cost Per CCP 1033.5(a)(4)(B)

8. I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.

Date: Sun, Jun. 24, 2007



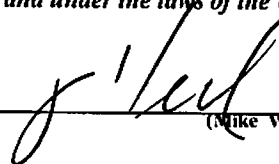
(Cynthia Sable)

Attorney or Party without Attorney: Shawn A. Williams, Esq. Lerach Coughlin Stoia Geller Rudman & Robbins LLP 100 Pine Street, Suite 2600 San Francisco, CA 94111 Telephone No: 415-288-4545			For Court Use Only		
Attorney for: Plaintiff			Ref. No. or File No.:		
Insert name of Court, and Judicial District and Branch Court: United States District Court - Northern District Of California					
Plaintiff: Frank A. Grucel, Jr., Derivately on Behalf of Extreme Networks, Inc. Defendant: Gordon L. Stitt, et al.					
<b>PROOF OF SERVICE Summons &amp; Complaint</b>		Hearing Date:	Time:	Dept/Div:	Case Number: C072848

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3. a. Party served: Stephen Haddock  
 b. Person served: Diane Honda, Assistant General Counsel/Authorized to Accept
4. Address where the party was served: c/o Extreme Networks, Inc.  
 3585 Monroe Street  
 Santa Clara, CA 95051
5. I served the party:
  - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Tue., Jun. 19, 2007 (2) at: 12:10PM
7. Person Who Served Papers:
  - a. Mike Wecker
  - b. Class Action Research & Litigation Support Services, Inc.  
 P O Box 740  
 Penryn, CA 95663
  - c. (866) 663-9590, FAX (866) 663-4955
  - d. **The Fee for Service was:** Recoverable Cost Per CCP 1033.5(a)(4)(B)
  - e. I am: (3) registered California process server
    - (i) Independent Contractor
    - (ii) Registration No.: 617
    - (iii) County: Santa Clara

8. I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.

Date: Wed, Jun. 20, 2007

  
 (Mike Wecker)

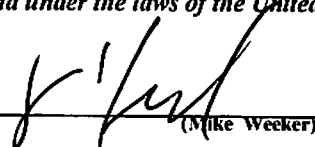


<b>Attorney or Party without Attorney:</b> Shawn A. Williams, Esq. Lerach Coughlin Stoia Geller Rudman & Robbins LLP 100 Pine Street, Suite 2600 San Francisco, CA 94111 Telephone No: 415-288-4545				<b>For Court Use Only</b>	
<b>Attorney for:</b> Plaintiff					
<b>Insert name of Court, and Judicial District and Branch Court:</b> United States District Court - Northern District Of California					
<b>Plaintiff:</b> Frank A. Grucel, Jr., Derivately on Behalf of Extreme Networks, Inc. <b>Defendant:</b> Gordon L. Stitt, et al.					
<b>PROOF OF SERVICE Summons &amp; Complaint</b>		<b>Hearing Date:</b>	<b>Time:</b>	<b>Dept/Div:</b>	<b>Case Number:</b> C072848

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2. I served copies of the Summons in a Civil Case; Verified Shareholder Derivative Complaint; Order Setting Initial Case Management Conference and ADR Deadlines; ECF Registration Information Handout; Notice of Assignment of Case to a United States Magistrate Judge; USDC Guidelines
3. a. Party served: Alicia Jayne Moore  
 b. Person served: Diane Honda, Assistant General Counsel/Authorized to Accept
4. Address where the party was served: c/o Extreme Networks, Inc.  
 3585 Monroe Street  
 Santa Clara, CA 95051
5. I served the party:
  - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Tue., Jun. 19, 2007 (2) at: 12:10PM
7. Person Who Served Papers:
  - a. Mike Weeker
  - b. Class Action Research & Litigation Support Services, Inc.  
 P O Box 740  
 Penryn, CA 95663  
 c. (866) 663-9590, FAX (866) 663-4955
  - d. **The Fee for Service was:** Recoverable Cost Per CCP 1033.5(a)(4)(B)
  - e. I am: (3) registered California process server
    - (i) Independent Contractor
    - (ii) Registration No.: 617
    - (iii) County: Santa Clara

8. I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.

Date: Wed, Jun. 20, 2007

  
(Mike Weeker)

<b>Attorney or Party without Attorney:</b> Shawn A. Williams, Esq. Lerach Coughlin Stoia Geller Rudman & Robbins LLP 100 Pine Street, Suite 2600 San Francisco, CA 94111 Telephone No: 415-288-4545				<b>For Court Use Only</b>	
<b>Ref. No. or File No.:</b>					
<b>Attorney for: Plaintiff</b>					
<b>Insert name of Court, and Judicial District and Branch Court:</b> United States District Court - Northern District Of California					
<b>Plaintiff:</b> Frank A. Grucel, Jr., Derivately on Behalf of Extreme Networks, Inc. <b>Defendant:</b> Gordon L. Stitt, et al.					
<b>PROOF OF SERVICE Summons &amp; Complaint</b>		<b>Hearing Date:</b>	<b>Time:</b>	<b>Dept/Div:</b>	<b>Case Number:</b> C072848

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the Summons in a Civil Case; Verified Shareholder Derivative Complaint; Order Setting Initial Case Management Conference and ADR Deadlines; ECF Registration Information Handout; Notice of Assignment of Case to a United States Magistrate Judge; USDC Guidelines
3. a. Party served: Robert L. Corey  
 b. Person served: Party in item 3a
4. Address where the party was served: 3726 Smallwood Court  
 Pleasanton, CA 94566
5. I served the party:  
 b. by substituted service. On: Sun., Jun. 24, 2007 at: 4:40PM by leaving the copies with or in the presence of:  
 Chris Corey, Wife / Co-Occupant  
 (2) (Home) Competent Member of the Household over 18. I informed him or her of the general nature of the papers.  
 (4) A declaration of mailing is attached.
7. Person Who Served Papers:
 

a. Michael Bliss b. Class Action Research & Litigation Support Services, Inc. P O Box 740 Penryn, CA 95663 c. (866) 663-9590, FAX (866) 663-4955	Recoverable Cost Per CCP 1033.5(a)(4)(B) d. The Fee for Service was: e. I am: (3) registered California process server (i) Independent Contractor (ii) Registration No.: 721 (iii) County: Alameda (iv) Expiration Date: Thu, Sep. 20, 2007
---	---

8. I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.

Date: Wed, Jun. 27, 2007

<b>Attorney or Party without Attorney:</b> Shawn A. Williams, Esq. Lerach Coughlin Stoia Geller Rudman & Robbins LLP 100 Pine Street, Suite 2600 San Francisco, CA 94111 Telephone No: 415-288-4545				<b>For Court Use Only</b>	
<b>Ref. No or File No.:</b>					
<b>Insert name of Court, and Judicial District and Branch Court:</b> United States District Court - Northern District Of California					
<b>Plaintiff:</b> Frank A. Grucel, Jr., Derivately on Behalf of Extreme Networks, Inc. <b>Defendant:</b> Gordon L. Stitt, et al.					
<b>Affidavit of Reasonable Diligence</b>		<b>Hearing Date:</b>	<b>Time:</b>	<b>Dept/Div:</b>	<b>Case Number:</b> C072848

1. I, Michael Bliss, and any employee or independent contractors retained by Class Action Research & are and were on the dates mentioned herein over the age of eighteen years and not a party to this action. Personal service was attempted on Defendant Robert L. Corey as follows:

2. **Documents:** Summons in a Civil Case; Verified Shareholder Derivative Complaint; Order Setting Initial Case Management Conference and ADR Deadlines; ECF Registration Information Handout; Notice of Assignment of Case to a United States Magistrate Judge; USDC Guidelines.

Day	Date	Time	Location	Results
Wed	06/20/07	3:26pm	Home	No answer at the door; mail visible that is addressed to the defendant. Attempt made by: Michael Bliss. Attempt at: 3726 Smallwood Court Pleasanton CA 94566.
Thu	06/21/07	7:06pm	Home	No answer at the door; Attempt made by: Michael Bliss. Attempt at: 3726 Smallwood Court Pleasanton CA 94566.
Sat	06/23/07	10:07am	Home	No answer at the door; Attempt made by: Michael Bliss. Attempt at: 3726 Smallwood Court Pleasanton CA 94566.
Sun	06/24/07	4:40pm	Home	Substituted Service on: Robert L. Corey Home - 3726 Smallwood Court Pleasanton, CA. 94566 by leaving a copy of the document(s) with: Chris Corey, Wife / Co-Occupant. Served by: Michael Bliss
Thu	06/28/07			Mailed copy of Documents to: Robert L. Corey

3. **Person Executing**  
 a. Michael Bliss  
 b. Class Action Research &  
 Litigation Support Services, Inc.  
 P O Box 740  
 Penryn, CA 95663  
 c. (866) 663-9590, FAX (866) 663-4955

Recoverable Costs Per CCP 1033.5(a)(4)(B)

d. **The Fee for service was:**

e. I am: (3) registered California process server

(i) Independent Contractor

(ii) Registration No.: 721

(iii) County: Alameda

(iv) Expiration Date: Thu, Sep. 20, 2007

4. I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.

Date: Fri, Jul. 06, 2007

Affidavit of Reasonable Diligence

(Michael Bliss)

Attorney or Party without Attorney: Shawn A. Williams, Esq. Lerach Coughlin Stoia Geller Rudman & Robbins LLP 100 Pine Street, Suite 2600 San Francisco, CA 94111 Telephone No: 415-288-4545 FAX No:				For Court Use Only
Attorney for: Plaintiff			Ref. No or File No.:	
Insert name of Court, and Judicial District and Branch Court: United States District Court - Northern District Of California				
Plaintiff: Frank A. Grucel, Jr., Derivately on Behalf of Extreme Networks, Inc. Defendant: Gordon L. Stitt, et al.				
<b>PROOF OF SERVICE</b> <b>By Mail</b>	Hearing Date:	Time:	Dept/Div:	Case Number: C072848

1. I am over the age of 18 and not a party to this action. I am employed in the county where the mailing occurred.
2. I served copies of the Summons in a Civil Case; Verified Shareholder Derivative Complaint; Order Setting Initial Case Management Conference and ADR Deadlines; ECF Registration Information Handout; Notice of Assignment of Case to a United States Magistrate Judge; USDC Guidelines
3. By placing a true copy of each document in the United States mail, in a sealed envelope by First Class mail with postage prepaid as follows:
  - a. Date of Mailing: Thu., Jun. 28, 2007
  - b. Place of Mailing: Penryn, CA 95663
  - c. Addressed as follows: Robert L. Corey  
3726 Smallwood Court  
Pleasanton, CA 94566
4. I am readily familiar with the business practice for collection and processing of correspondence as deposited with the U.S. Postal Service on Thu., Jun. 28, 2007 in the ordinary course of business.
5. Person Serving:
  - a. Janis Dingman
  - b. Class Action Research & Litigation Support Services, Inc.  
P O Box 740  
Penryn, CA 95663
  - c. (866) 663-9590, FAX (866) 663-4955
  - d. *The Fee for Service was:*
  - e. I am: (3) registered California process server
    - (i) Employee
    - (ii) Registration No.: 2005-27
    - (iii) County: Sacramento
    - (iv) Expiration Date: Wed, Apr. 29, 2009

Recoverable Cost Per CCP 1033.5(a)(4)(B)

8. I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.

Date: Wed, Jun. 27, 2007